

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5916

IN THE MATTER OF:

Served June 22, 2000

Application of CHALLENGER)
TRANSPORTATION, INC., for)
Temporary Authority --)
Irregular Route Operations)

Case No. AP-2000-55

By application accepted for filing June 20, 2000, Challenger Transportation, Inc., a Maryland corporation, seeks temporary authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver. Applicant also has applied for a certificate of authority in Case No. AP-99-56.

Applicant proposes commencing operations with fourteen vans and six sedans. Applicant's proposed tariff contains hourly rates and per capita rates for service under a contract with LogistiCare Solutions, LLC, WMATC Carrier No. 524.

LogistiCare has a contract with the Washington Metropolitan Area Transit Authority (WMATA). The contract requires LogistiCare to operate a reservation system for the benefit of disabled individuals participating in WMATA's MetroAccess program and to ensure that program participants receive timely and adequate transportation service. The MetroAccess program is WMATA's means of complying with the Americans with Disabilities Act of 1990,¹ which in pertinent part prohibits discrimination against the disabled by public transportation providers.

LogistiCare subcontracts much of the transportation service to other WMATC carriers and has selected Challenger to provide MetroAccess service in Montgomery County, Maryland, commencing July 1, 2000, using vehicles furnished by LogistiCare.

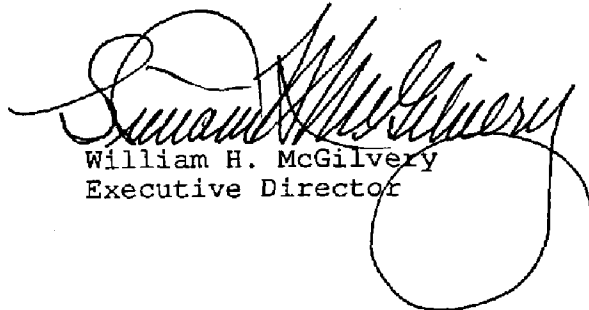
Under Title II of the Compact, Article XI, Section 13(a), the Commission may grant temporary authority if there is an immediate need for service that is not available. Under Regulation No. 54-06(a), a temporary authority applicant must demonstrate fitness.

This proceeding is hereby initiated to determine whether applicant is fit and whether there is an immediate need for service that is not available.

¹ 42 U.S.C. § 12101, et. seq. (1999).

THEREFORE, IT IS ORDERED that the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is July 7, 2000, and that copies must be served on applicant's operations manager, Michael P. Healy, 8060 Cessna Avenue, Gaithersburg, MD 20879.

FOR THE COMMISSION:

A handwritten signature in cursive script, appearing to read "William H. McGilvery", is written over the typed name and title. The signature is fluid and extends to the right, with a large loop at the end.

William H. McGilvery
Executive Director